

Application Ser. No. 09/939,865

Amend H – Resp to OA 2-06-06

**IN THE CLAIMS**

Please amend Claims 1, 10, 20, and 29.

A marked up version of the modified claims starts on page 04 in accordance with 37 § CFR 1.121 as follows: The changes in any amended claims are shown by strikethrough (strikethrough for deleted matter) and underlining (underlining for added matter). The status of each Claim is indicated adjacent the Claim Number.

Thereafter, starting on a separate page, (Page 12), is the Remarks portion in accordance with 37 CFR § 1.111.

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**Claims:**

1. (Currently amended) Handheld apparatus for propelling particulate matter, the apparatus comprising:
  - a mixing chamber having a sidewall, a gas receiving end wall comprising a gas receiving port at a first end of the mixing chamber and a discharge end wall at an opposite end of the mixing chamber and designed to be handheld;
  - a gas delivery conduit, whereby the gas delivery conduit would be coupled to the gas receiving end wall and disposed within the mixing chamber and extends projecting linearly from said gas receiving end wall into the mixing chamber;
  - a discharge port in the discharge end wall;
  - a discharge conduit disposed within the mixing chamber and extending in fluid communication from the discharge port towards the gas receiving port and whereby the gas delivery conduit and the discharge conduit overlap;
  - an elongated particle-directing tube disposed external to the mixing chamber, a proximal end of the particle-directing tube in fluid communication with the discharge port; and

the mixing chamber handheld apparatus for propelling particulate matter is pre-charged with a predetermined amount of particulate matter, wherein a majority of the particulate matter is stored in the mixing chamber, and the gas delivery conduit handheld apparatus for propelling particulate matter is not conducive for replacing particulate matter to the mixing chamber, thus providing an apparatus that is designed to be disposed of upon the exhaustion of the particulate matter disposed within the mixing chamber.
2. (original) The apparatus of Claim 1, wherein the size and shape of the mixing chamber resembles that of a syringe.
3. (cancelled)

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4. (previously presented) The apparatus of Claim 1, wherein the elongated particle directing tube is a continuation of the discharge conduit.
5. (previously presented) The apparatus of Claim 1, wherein the elongated particle directing tube is manually bendable making the discharge from the elongated particle directing tube omni-directional at the time of use.
6. (original) The apparatus of Claim 1, wherein the apparatus further comprises a color-coding to identify the particulate matter.
7. (original) The apparatus of Claim 1, the apparatus further comprising at least one of a gas delivery port cap and a discharge end cap.
8. (original) The apparatus of Claim 7, wherein the apparatus further comprising a color-coding to identify the particulate matter.
9. (original) The apparatus of Claim 2, the apparatus further comprising an attachment area located proximate the gas receiving port to the apparatus, whereby the attachment area provides a means to couple the apparatus to an air supply source.
10. (Currently amended) Handheld apparatus for propelling particulate matter, the apparatus comprising:
  - a mixing chamber having a sidewall, a gas receiving end wall comprising a gas receiving port at a first end of the mixing chamber and a discharge end wall at an opposite end of the mixing chamber, a coupling member for coupling the mixing chamber to a gas supply source tube, and designed to be handheld;
  - a gas delivery conduit, whereby the gas delivery conduit would be coupled to the gas receiving end wall and disposed within the mixing chamber and extend projecting linearly from said gas receiving end wall into the mixing chamber;

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a discharge port in the discharge end wall;

a discharge conduit disposed within the mixing chamber and extending in fluid communication from the discharge port towards the gas receiving port and whereby the gas delivery conduit and the discharge conduit overlap;

an elongated particle-directing tube disposed external to the mixing chamber, a proximal end of the particle-directing tube in fluid communication with the discharge port; and

the mixing chamber handheld apparatus for propelling particulate matter is pre-charged with a predetermined amount of particulate matter, wherein a majority of the particulate matter is stored in the mixing chamber, and wherein the gas delivery conduit handheld apparatus for propelling particulate matter is not conducive to the replenishment of particulate matter, thus providing an apparatus that is designed to be disposed of upon the exhaustion of the particulate matter disposed within the mixing chamber.

11. (previously presented ) The apparatus of Claim 10, whereby the gas delivery port is positioned off-center with respects to the center of the mixing chamber.

12. (original) The apparatus of Claim 10, wherein the size and shape of the mixing chamber resembles that of a syringe.

13. (cancelled)

14. (previously presented ) The apparatus of Claim 10, wherein the elongated particle directing tube is a continuation of the discharge conduit.

15. (previously presented ) The apparatus of Claim 10, wherein the elongated particle directing tube is manually bendable making the discharge from the elongated particle directing tube omni-directional at the time of use.

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16. (original) The apparatus of Claim 10, wherein the apparatus further comprises a color-coding to identify the particulate matter.

17. (original) The apparatus of Claim 10, the apparatus further comprising at least one of a gas delivery port cap and a discharge end cap.

18. (original) The apparatus of Claim 17, wherein the apparatus further comprising a color-coding to identify the particulate matter.

19. (original) The apparatus of Claim 12, the apparatus further comprising an attachment area located proximate the gas receiving port to the apparatus, whereby the attachment area provides a means to couple the apparatus to an air supply source.

20. (Currently amended) Handheld apparatus for propelling particulate matter, the apparatus comprising:

a mixing chamber having a sidewall, a gas receiving port at a first end of the mixing chamber and a discharge end wall at an opposite end of the mixing chamber and designed to be handheld;

a discharge port in the discharge end wall;

a discharge conduit disposed within the mixing chamber and extending in fluid communication from the discharge port towards the gas receiving port;

an elongated particle-directing tube disposed external to the mixing chamber, a proximal end of the particle-directing tube in fluid communication with the discharge port;

a non-removable, self sealing mechanism contiguous to the sidewall of the mixing chamber, wherein the self sealing mechanism opens to allow a gas stream to flow into the handheld mixing chamber when exposed to a gas stream, and the self

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sealing mechanism seals when not exposed to the gas stream, whereby the self sealing mechanism is located between the gas receiving port and the mixing chamber; and wherein the self-sealing mechanism is of a flexible material, of a hemispherical geometry, and comprising at least two slits.

21-24. (cancelled)

25. (original) The apparatus of Claim 20, wherein the size and shape of the mixing chamber resembles that of a syringe.

26. (cancelled)

27. (previously presented ) The apparatus of Claim 20, wherein the elongated particle directing tube is a continuation of the discharge conduit.

28. (previously presented ) The apparatus of Claim 20, wherein the elongated particle directing tube is manually bendable making the discharge from the elongated particle directing tube omni-directional at the time of use.

29. (Currently amended) Handheld apparatus for propelling particulate matter, the apparatus comprising:

a mixing chamber having a sidewall, a gas receiving end wall comprising a gas receiving port at a first end of the mixing chamber and a discharge end wall at an opposite end of the mixing chamber and designed to be handheld;

a gas delivery conduit, whereby the gas delivery conduit would be coupled to the gas receiving end wall and disposed within the mixing chamber and extends projecting linearly from said gas receiving end wall into the mixing chamber;

a discharge port in the discharge end wall;

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a discharge conduit disposed within the mixing chamber and extending in fluid communication from the discharge port towards the gas receiving port and whereby the gas delivery conduit and the discharge conduit overlap;

an elongated particle-directing tube disposed external to the mixing chamber, a proximal end of the particle-directing tube in fluid communication with the discharge port;

~~the mixing chamber is pre-charged with a particulate matter providing a disposable apparatus upon the exhaustion of the particulate matter disposed within the mixing chamber,~~

the mixing chamber handheld apparatus for propelling particulate matter is pre-charged with a predetermined amount of particulate matter, wherein a majority of the particulate matter is stored in the mixing chamber, and wherein the gas delivery conduit handheld apparatus for propelling particulate matter is not conducive to the replenishment of particulate matter, thus providing an apparatus that is designed to be disposed of upon the exhaustion of the particulate matter disposed within the mixing chamber,

a removable sealing member to temporarily contain the particulate matter within the mixing chamber; and wherein:

at least one of the gas receiving end wall and the discharge end wall abuts and is contiguous with the sidewall of the mixing chamber.

30. (previously presented) The apparatus of Claim 29, whereby the gas delivery port is positioned off-center with respects to the center of the mixing chamber.

31. (original) The apparatus of Claim 29, wherein the size and shape of the mixing chamber resembles that of a syringe.

32. (cancelled)

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33. (previously presented) The apparatus of Claim 29, wherein the elongated particle directing tube is a continuation of the discharge conduit.

34. (previously presented) The apparatus of Claim 29, wherein the elongated particle directing tube is manually bendable making the discharge from the elongated particle directing tube omni-directional at the time of use.

35. (original) The apparatus of Claim 29, wherein the apparatus further comprises a color-coding to identify the particulate matter.

36. (previously presented) The apparatus of Claim 29, wherein the removable sealing member to temporarily contain the particulate matter is of at least one of a gas delivery port cap and a discharge end cap.

37. (original) The apparatus of Claim 36, wherein the apparatus further comprising a color-coding to identify the particulate matter.

38. (original) The apparatus of Claim 31, the apparatus further comprising an attachment area located proximate the gas receiving port to the apparatus, whereby the attachment area provides a means to couple the apparatus to an air supply source.

39-42 (canceled)

43. (previously presented) The apparatus of Claim 20, the mixing chamber being pre-charged with a particulate matter providing a disposable apparatus upon the exhaustion of the particulate matter disposed within the mixing chamber.

44-46. (canceled)

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47. (previously presented) The apparatus of Claim 20, wherein the at least two slits cross.

48. (previously presented) The apparatus of Claim 20, wherein the apparatus further comprises a color-coding to identify the particulate matter.